

3. In making such an application, a plaintiff must state the facts concerning his or her poverty with some degree of particularity, definiteness or certainty. *United States ex rel. Roberts v. Pennsylvania*, 312 F. Supp. 1, 2 (E.D. Pa. 1969) (finding affiant's application legally insufficient where the application failed to state the facts of affiant's poverty with any degree of

particularity, definiteness or certainty) (citing *United States v. Coor*, 213 F. Supp. 955, 956 (D.D.C. 1963), *rev'd on other grounds*, 325 F.2d 1014 (D.C. Cir. 1963); *Jefferson v. United States*, 277 F.2d 723, 725 (9th Cir. 1960)).

4. On December 12, 2008, Plaintiff filed a motion to proceed *in forma pauperis* status pursuant to 28 U.S.C. § 1915 [Docket # 41]. Along with her motion, Plaintiff submitted a declaration in which she certifies the following: (1) that Plaintiff's household consists of herself and her two adolescent children; (2) that she has an annual income of \$24,240.00 derived from the New Jersey Division of Pension and Benefits; (3) that her home is in foreclosure; (4) that she has annual expenses totaling \$24,252. (Davis Decl. at ¶ 4) [Docket # 41]

5. Based upon these submissions, the Court concludes that Plaintiff has documented her poverty and insolvency with the requisite particularity. As such;

IT IS THIS 20<sup>th</sup> day of January, 2009, hereby

ORDERED that Plaintiff's application to proceed *in forma pauperis* is GRANTED [Docket # 41];

ORDERED that the Clerk of the Court shall serve this Order upon Plaintiff by regular U.S. mail.

/s/ Garrett E. Brown, Jr.  
GARRETT E. BROWN, JR., C.U.S.D.J.